



U.S. Customs and Border Protection

[1651-0077]

Customs-Trade Partnership against Terrorism (CTPAT) Program and CTPAT Trade Compliance Program

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day Notice and request for comments; Revision of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the *Federal Register* to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651-0077 in the subject line and the agency name. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

Due to COVID-19-related restrictions, CBP has temporarily suspended its ability to receive public comments by mail.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE,

10th Floor, Washington, D.C. 20229-1177, Telephone number 202-325-0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Customs Trade Partnership against Terrorism (CTPAT) Program and CTPAT Trade Compliance

OMB Number: 1651-0077

Current Actions: Revision

Type of Review: Revision

Affected Public: Businesses

Abstract: The CTPAT Program comprises of two different program divisions, CTPAT Security and CTPAT Trade Compliance. The CTPAT Security program is designed to safeguard the world's trade industry from terrorists and smugglers by prescreening its participants. The CTPAT Program applies to United States and non-resident Canadian importers, United States exporters, customs brokers, consolidators, ports and terminal operators, carriers of cargo in air, sea and land, and Canadian and Mexican manufacturers. The Trade Compliance division is for importers only.

The CTPAT Program application requests an applicant's contact and business information, including the number of company employees, the number of years in business, and a list of company officers. This collection of information is authorized by the SAFE Port Act (P.L.109-347). Additional information is being collected based on CTPAT's new vetting process as the prior vetting process was found to be insufficient in being able to identify violators. Not collecting this information would result in companies that are high risk for committing illegal activity to be allowed into, and continue to be part of, the CTPAT program. When the previous vetting process was reviewed by CBP's National Targeting Center, they found the vetting process to be ineffective in capturing high risk companies. This means companies that are high risk were allowed to be CTPAT members and enjoy the many trade facilitation benefits of membership, such as having their cargo facilitated through CBP ports of entry via FAST lanes and front of the line treatment, fewer inspections by CBP, and various other benefits. Those companies vetted under the CTPAT program's

current “standard” vetting process have/had to provide only the company points of contact (POC), telephone number and name. As the required information is not sufficient to gather specific data on a specific person to get an exact match, CBP is adding the following data elements to assist with vetting CTPAT members:

- Date of Birth (DOB)
- Country of Birth
- Country of Citizenship
- Travel Document number (e.g., visa or passport number)
- Immigration status information (e.g., Alien Registration Number, Naturalization number)
- Driver’s license information (e.g., state and country of issuance, number, date of issuance/expiration)
- Social Security Number (The Social Security Number is a means to verify the identity of an owner/upper manager within the company. This is particularly helpful with common names or the Spanish names where individuals may have multiple last names that may or may not be used in records. In these instances, we may need to go beyond the name and DOB to ensure we are looking at the right individual and making the correct vetting decision for the company.
- Trusted Traveler membership type and number (e.g., FAST/NEXUS/SENTRI/Global Entry ID); and
- Registro Federal de Contribuyentes (RFC) Persona Fisica (needed for Mexican Foreign Manufacturers, Highway Carriers, and Long-Haul Carriers Only).

- Internet Protocol (IP) Address
 - An IP address serves two main functions: host or network interface identification and location addressing. Usually, the IP address is enough to trace the connection back to the ISP (Internet Service Provider). In some instances of Post Incident Analysis, conducted after a company in the program has been involved in an incident, HSI has asked CTPAT if we have IP addresses for users in our system, but we have been unable to provide them. Having the IP address captured could help to assist CBP/HSI in identifying users/locations, as needed, for law enforcement purposes. There are also instances where users (often consultants) will try to sign the CTPAT user agreement or submit security profiles on behalf of companies, which they are not allowed to do. This leaves the company liable to the actions taken by someone not authorized to take those actions. If we are able to capture the IP address, CTPAT might be able to identify cases where consultants are using unauthorized logins or logging in using Company Officer accounts in order to make it appear that submissions are coming from a Company Officer.

The CTPAT Trade Compliance program is an optional component of the CTPAT program and adds trade compliance aspects to the supply chain security aspects of the CTPAT program. The CTPAT security program is a prerequisite to applying to the CTPAT Trade Compliance program. CTPAT members are given the opportunity to receive additional benefits in exchange

for a commitment to assume responsibility for monitoring their own compliance by applying to the CTPAT Trade Compliance program. After a company has completed the security aspects of the CTPAT program and is in good standing, it may opt to apply to the CTPAT Trade Compliance component. The CTPAT Trade Compliance program strengthens security by leveraging the CTPAT supply chain requirements, identifying low-risk trade entities for supply chain security, and increasing the overall efficiency of trade by segmenting risk and processing by account.

The CTPAT Trade Compliance program is open to U.S. and non-resident Canadian importers that have satisfied both the CTPAT supply chain security and trade compliance requirements.

The CTPAT Trade Compliance program application includes questions about the following:

- Primary Point of Contact including name, title, email address, and phone number
- Business information including Company Name, Company Address, Company phone number, Company Website, Company type (private or public), CBP Bond information, Importer of Record Number, and number of employees
- Information about the applicant's Supply Chain Security Profile
- Trade Compliance Profile and Internal Control Operating Procedures of the applicant.

- Company Broker information
- Training material for Supply Chain Security and Trade Compliance
- Risk Assessment documentation and results
- Period testing documentation and results
- Prior disclosure history
- Partner Government Agency affiliation information

After an importer obtains CTPAT Trade Compliance membership, the importer will be required to submit an Annual Notification Letter to CBP confirming that they are continuing to meet the requirements of the program. This letter should include: personnel changes that impact the CTPAT Trade Compliance Program; organizational and procedural changes; a summary of risk assessment and self-testing results; a summary of post-entry amendments and/or disclosures made to CBP; and any importer activity changes within the last 12-month period.

Type of Information Collection: CTPAT Application

Estimated Number of Respondents: 750

Estimated Number of Annual Responses per Respondent: 1

Estimated Number of Total Annual Responses: 750

Estimated Time per Response: 20 hours

Estimated Total Annual Burden Hours: 15,000

Type of Information Collection: CTPAT Trade Compliance Application

Estimated Number of Respondents: 50

Estimated Number of Annual Responses per Respondent: 1

Estimated Number of Total Annual Responses: 50

Estimated Time per Response: 2 hours

Estimated Total Annual Burden Hours: 100

Type of Information Collection: CTPAT Trade Compliance Program's Annual Notification
Letter

Estimated Number of Respondents: 50

Estimated Number of Annual Responses per Respondent: 1

Estimated Number of Total Annual Responses: 50

Estimated Time per Response: 2 hours

Estimated Total Annual Burden Hours: 100

Dated: February 14, 2022.

Seth D. Renkema,
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U.S. Customs and Border Protection.

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